

Senate Study Bill 3233

SENATE/HOUSE FILE _____
BY (PROPOSED GOVERNOR'S BUDGET BILL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to and making appropriations to the justice
2 system and including an effective date.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 5017XG 82
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1 1 Section 1. DEPARTMENT OF JUSTICE.
1 2 1. There is appropriated from the general fund of the
1 3 state to the department of justice for the fiscal year
1 4 beginning July 1, 2008, and ending June 30, 2009, the
1 5 following amounts, or so much thereof as is necessary, to be
1 6 used for the purposes designated:
1 7 a. For the general office of attorney general for
1 8 salaries, support, maintenance, and miscellaneous purposes,
1 9 including the prosecuting attorneys training program, victim
1 10 assistance grants, office of drug control policy (ODCP)
1 11 prosecuting attorney program, and odometer fraud enforcement:
1 12 \$ 9,437,720
1 13 It is the intent of the general assembly that as a
1 14 condition of receiving the appropriation provided in this
1 15 lettered paragraph, the department of justice shall maintain a
1 16 record of the estimated time incurred representing each agency
1 17 or department.
1 18 b. For victim assistance grants:
1 19 \$ 150,000
1 20 The funds appropriated in this lettered paragraph shall be
1 21 used to provide grants to care providers providing services to
1 22 crime victims of domestic abuse or to crime victims of rape
1 23 and sexual assault.
1 24 The balance of the victim compensation fund established in
1 25 section 915.94 may be used to provide salary and support of
1 26 not more than 22 FTEs and to provide maintenance for the
1 27 victim compensation functions of the department of justice.
1 28 As a condition of receiving the appropriation in this
1 29 lettered paragraph, the department of justice shall transfer
1 30 at least \$3,200,000 from the victim compensation fund
1 31 established in section 915.94 to the victim assistance grant
1 32 program.
1 33 c. For legal services for persons in poverty grants as
1 34 provided in section 13.34:
1 35 \$ 2,000,000
2 1 d. For the purpose of funding farm mediation services and
2 2 other farm assistance program provisions in accordance with
2 3 sections 13.13 through 13.24:
2 4 \$ 300,000
2 5 2. a. The department of justice, in submitting budget
2 6 estimates for the fiscal year commencing July 1, 2009,
2 7 pursuant to section 8.23, shall include a report of funding
2 8 from sources other than amounts appropriated directly from the
2 9 general fund of the state to the department of justice or to
2 10 the office of consumer advocate. These funding sources shall
2 11 include but are not limited to reimbursements from other state
2 12 agencies, commissions, boards, or similar entities, and
2 13 reimbursements from special funds or internal accounts within
2 14 the department of justice. The department of justice shall
2 15 also report actual reimbursements for the fiscal year
2 16 commencing July 1, 2007, and actual and expected
2 17 reimbursements for the fiscal year commencing July 1, 2008.
2 18 b. The department of justice shall include the report
2 19 required under paragraph "a", as well as information regarding
2 20 any revisions occurring as a result of reimbursements actually

2 21 received or expected at a later date, in a report to the co=
2 22 chairpersons and ranking members of the joint appropriations
2 23 subcommittee on the justice system and the legislative
2 24 services agency. The department of justice shall submit the
2 25 report on or before January 15, 2009.
2 26 Sec. 2. OFFICE OF CONSUMER ADVOCATE. There is
2 27 appropriated from the general fund of the state to the office
2 28 of consumer advocate of the department of justice for the
2 29 fiscal year beginning July 1, 2008, and ending June 30, 2009,
2 30 the following amount, or so much thereof as is necessary, to
2 31 be used for the purposes designated:
2 32 For salaries, support, maintenance, and miscellaneous
2 33 purposes:
2 34 \$ 3,101,884
2 35 Sec. 3. DEPARTMENT OF CORRECTIONS == FACILITIES.
3 1 1. There is appropriated from the general fund of the
3 2 state to the department of corrections for the fiscal year
3 3 beginning July 1, 2008, and ending June 30, 2009, the
3 4 following amounts, or so much thereof as is necessary, to be
3 5 used for the purposes designated:
3 6 For the operation of adult correctional institutions,
3 7 reimbursement of counties for certain confinement costs, and
3 8 federal prison reimbursement, to be allocated as follows:
3 9 a. For the operation of the Fort Madison correctional
3 10 facility, including salaries, support, maintenance, and
3 11 miscellaneous purposes:
3 12 \$ 46,253,871
3 13 b. For the operation of the Anamosa correctional facility,
3 14 including salaries, support, maintenance, and miscellaneous
3 15 purposes:
3 16 \$ 31,178,054
3 17 Moneys are provided within this appropriation for one full=
3 18 time substance abuse counselor for the Luster Heights facility
3 19 for the purpose of certification of a substance abuse program
3 20 at that facility.
3 21 c. For the operation of the Oakdale correctional facility,
3 22 including salaries, support, maintenance, and miscellaneous
3 23 purposes:
3 24 \$ 58,128,271
3 25 d. For the operation of the Newton correctional facility,
3 26 including salaries, support, maintenance, and miscellaneous
3 27 purposes:
3 28 \$ 27,978,941
3 29 e. For the operation of the Mt. Pleasant correctional
3 30 facility, including salaries, support, maintenance, and
3 31 miscellaneous purposes:
3 32 \$ 27,390,452
3 33 f. For the operation of the Rockwell City correctional
3 34 facility, including salaries, support, maintenance, and
3 35 miscellaneous purposes:
4 1 \$ 9,262,685
4 2 g. For the operation of the Clarinda correctional
4 3 facility, including salaries, support, maintenance, and
4 4 miscellaneous purposes:
4 5 \$ 25,207,465
4 6 Moneys received by the department of corrections as
4 7 reimbursement for services provided to the Clarinda youth
4 8 corporation, or its successor, are appropriated to the
4 9 department and shall be used for the purpose of operating the
4 10 Clarinda correctional facility.
4 11 h. For the operation of the Mitchellville correctional
4 12 facility, including salaries, support, maintenance, and
4 13 miscellaneous purposes:
4 14 \$ 15,935,768
4 15 i. For the operation of the Fort Dodge correctional
4 16 facility, including salaries, support, maintenance, and
4 17 miscellaneous purposes:
4 18 \$ 29,964,275
4 19 j. For reimbursement of counties for temporary confinement
4 20 of work release and parole violators, as provided in sections
4 21 901.7, 904.908, and 906.17, and for offenders confined
4 22 pursuant to section 904.513:
4 23 \$ 967,983
4 24 k. For federal prison reimbursement, reimbursements for
4 25 out-of-state placements, and miscellaneous contracts:
4 26 \$ 241,293
4 27 2. The department of corrections shall use funds
4 28 appropriated in subsection 1 to continue to contract for the
4 29 services of a Muslim imam.
4 30 Sec. 4. DEPARTMENT OF CORRECTIONS == ADMINISTRATION.
4 31 1. There is appropriated from the general fund of the

4 32 state to the department of corrections for the fiscal year
4 33 beginning July 1, 2008, and ending June 30, 2009, the
4 34 following amounts, or so much thereof as is necessary, to be
4 35 used for the purposes designated:

5 1 a. For general administration, including salaries,
5 2 support, maintenance, employment of an education director to
5 3 administer a centralized education program for the
5 4 correctional system, and miscellaneous purposes:
5 5 \$ 5,050,732
5 6 (1) It is the intent of the general assembly that as a
5 7 condition of receiving the appropriation provided in this
5 8 lettered paragraph the department of corrections shall not,
5 9 except as otherwise provided in subparagraph (3), enter into a
5 10 new contract, unless the contract is a renewal of an existing
5 11 contract, for the expenditure of moneys in excess of \$100,000
5 12 during the fiscal year beginning July 1, 2008, for the
5 13 privatization of services performed by the department using
5 14 state employees as of July 1, 2008, or for the privatization
5 15 of new services by the department without prior consultation
5 16 with any applicable state employee organization affected by
5 17 the proposed new contract and prior notification of the co=
5 18 chairpersons and ranking members of the joint appropriations
5 19 subcommittee on the justice system.

5 20 (2) It is the intent of the general assembly that each
5 21 lease negotiated by the department of corrections with a
5 22 private corporation for the purpose of providing private
5 23 industry employment of inmates in a correctional institution
5 24 shall prohibit the private corporation from utilizing inmate
5 25 labor for partisan political purposes for any person seeking
5 26 election to public office in this state and that a violation
5 27 of this requirement shall result in a termination of the lease
5 28 agreement.

5 29 (3) It is the intent of the general assembly that as a
5 30 condition of receiving the appropriation provided in this
5 31 lettered paragraph the department of corrections shall not
5 32 enter into a lease or contractual agreement pursuant to
5 33 section 904.809 with a private corporation for the use of
5 34 building space for the purpose of providing inmate employment
5 35 without providing that the terms of the lease or contract
6 1 establish safeguards to restrict, to the greatest extent
6 2 feasible, access by inmates working for the private
6 3 corporation to personal identifying information of citizens.

6 4 b. For educational programs for inmates at state penal
6 5 institutions:
6 6 \$ 1,570,358
6 7 It is the intent of the general assembly that moneys
6 8 appropriated in this lettered paragraph shall be used solely
6 9 for the purpose indicated and that the moneys shall not be
6 10 transferred for any other purpose. In addition, it is the
6 11 intent of the general assembly that the department shall
6 12 consult with the community colleges in the areas in which the
6 13 institutions are located to utilize moneys appropriated in
6 14 this lettered paragraph to fund the high school completion,
6 15 high school equivalency diploma, adult literacy, and adult
6 16 basic education programs in a manner so as to maintain these
6 17 programs at the institutions.

6 18 To maximize the funding for educational programs, the
6 19 department shall establish guidelines and procedures to
6 20 prioritize the availability of educational and vocational
6 21 training for inmates based upon the goal of facilitating an
6 22 inmate's successful release from the correctional institution.

6 23 The director of the department of corrections may transfer
6 24 moneys from Iowa prison industries for use in educational
6 25 programs for inmates.

6 26 Notwithstanding section 8.33, moneys appropriated in this
6 27 lettered paragraph that remain unobligated or unexpended at
6 28 the close of the fiscal year shall not revert but shall remain
6 29 available for expenditure only for the purpose designated in
6 30 this lettered paragraph until the close of the succeeding
6 31 fiscal year.

6 32 c. For the development of the Iowa corrections offender
6 33 network (ICON) data system:
6 34 \$ 427,700
6 35 d. For offender mental health and substance abuse
7 1 treatment:
7 2 \$ 25,000
7 3 e. For viral hepatitis prevention and treatment:
7 4 \$ 188,000
7 5 f. For a transitional housing pilot project for offenders
7 6 on parole who are in the early stages of recovery from
7 7 substance abuse:

7 8 \$ 30,000
7 9 g. For security audits and improvement projects at
7 10 correctional facilities:
7 11 \$ 2,000,000
7 12 2. It is the intent of the general assembly that the
7 13 department of corrections shall continue to operate the
7 14 correctional farms under the control of the department at the
7 15 same or greater level of participation and involvement as
7 16 existed as of January 1, 2008; shall not enter into any rental
7 17 agreement or contract concerning any farmland under the
7 18 control of the department that is not subject to a rental
7 19 agreement or contract as of January 1, 2008, without prior
7 20 legislative approval; and shall further attempt to provide job
7 21 opportunities at the farms for inmates. The department shall
7 22 attempt to provide job opportunities at the farms for inmates
7 23 by encouraging labor-intensive farming or gardening where
7 24 appropriate; using inmates to grow produce and meat for
7 25 institutional consumption; researching the possibility of
7 26 instituting food canning and cook-and-chill operations; and
7 27 exploring opportunities for organic farming and gardening,
7 28 livestock ventures, horticulture, and specialized crops.
7 29 3. The department of corrections shall submit a report to
7 30 the general assembly by January 1, 2009, concerning moneys
7 31 recouped from inmate earnings for the reimbursement of
7 32 operational expenses of the applicable facility during the
7 33 fiscal year beginning July 1, 2007, for each correctional
7 34 institution and judicial district department of correctional
7 35 services. In addition, each correctional institution and
8 1 judicial district department of correctional services shall
8 2 continue to submit a report to the legislative services agency
8 3 on a monthly basis concerning moneys recouped from inmate
8 4 earnings pursuant to sections 904.702, 904.809, and 905.14.
8 5 4. It is the intent of the general assembly that as a
8 6 condition of receiving the appropriation provided in
8 7 subsection 1, the department shall not enter into any
8 8 agreement with a private sector, nongovernmental entity for
8 9 the purpose of housing inmates committed to the custody of the
8 10 director of the department without express authorization of
8 11 the general assembly to do so.
8 12 Sec. 5. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL
8 13 SERVICES.
8 14 1. There is appropriated from the general fund of the
8 15 state to the department of corrections for the fiscal year
8 16 beginning July 1, 2008, and ending June 30, 2009, for the
8 17 treatment and supervision of probation and parole violators
8 18 who have been released from the department of corrections
8 19 violator program, the following amounts, or so much thereof as
8 20 is necessary, to be allocated as follows:
8 21 a. For the first judicial district department of
8 22 correctional services:
8 23 \$ 13,965,618
8 24 b. For the second judicial district department of
8 25 correctional services:
8 26 \$ 11,398,603
8 27 c. For the third judicial district department of
8 28 correctional services:
8 29 \$ 6,114,983
8 30 d. For the fourth judicial district department of
8 31 correctional services:
8 32 \$ 5,726,971
8 33 e. For the fifth judicial district department of
8 34 correctional services, including funding for electronic
8 35 monitoring devices for use on a statewide basis:
9 1 \$ 20,627,443
9 2 f. For the sixth judicial district department of
9 3 correctional services:
9 4 \$ 13,107,929
9 5 The sixth judicial district department of correctional
9 6 services shall maintain a youth leadership model program to
9 7 help at-risk youth. As a part of the program, the district
9 8 department may recruit college or high school students in the
9 9 judicial district to work with at-risk youth. The student
9 10 workers shall be recruited regardless of gender and be
9 11 recommended by their respective schools as good role models,
9 12 including but not limited to students who possess capabilities
9 13 in one or more of the following areas of ability: intellectual
9 14 capacity, athletics, visual arts, or performing arts.
9 15 g. For the seventh judicial district department of
9 16 correctional services:
9 17 \$ 7,285,892
9 18 h. For the eighth judicial district department of

9 19 correctional services:
9 20 \$ 7,482,936
9 21 2. Each judicial district department of correctional
9 22 services, within the funding available, shall continue
9 23 programs and plans established within that district to provide
9 24 for intensive supervision, sex offender treatment, diversion
9 25 of low-risk offenders to the least restrictive sanction
9 26 available, job development, and expanded use of intermediate
9 27 criminal sanctions.
9 28 3. Each judicial district department of correctional
9 29 services shall provide alternatives to prison consistent with
9 30 chapter 901B. The alternatives to prison shall ensure public
9 31 safety while providing maximum rehabilitation to the offender.
9 32 A judicial district department of correctional services may
9 33 also establish a day program.
9 34 4. The governor's office of drug control policy shall
9 35 consider federal grants made to the department of corrections
10 1 for the benefit of each of the eight judicial district
10 2 departments of correctional services as local government
10 3 grants, as defined pursuant to federal regulations.
10 4 5. The department of corrections shall continue to
10 5 contract with a judicial district department of correctional
10 6 services to provide for the rental of electronic monitoring
10 7 equipment which shall be available statewide.
10 8 Sec. 6. DEPARTMENT OF CORRECTIONS == REALLOCATION OF
10 9 APPROPRIATIONS. Notwithstanding section 8.39, within the
10 10 funds appropriated in this Act to the department of
10 11 corrections, the department may reallocate the funds
10 12 appropriated and allocated as necessary to best fulfill the
10 13 needs of the correctional institutions, administration of the
10 14 department, and the judicial district departments of
10 15 correctional services. However, in addition to complying with
10 16 the requirements of sections 904.116 and 905.8 and providing
10 17 notice to the legislative services agency, the department of
10 18 corrections shall also provide notice to the department of
10 19 management, prior to the effective date of the revision or
10 20 reallocation of an appropriation made pursuant to this
10 21 section. The department shall not reallocate an appropriation
10 22 or allocation for the purpose of eliminating any program.
10 23 Sec. 7. INTENT == REPORTS.
10 24 1. The department in cooperation with townships, the Iowa
10 25 cemetery associations, and other nonprofit or governmental
10 26 entities may use inmate labor during the fiscal year beginning
10 27 July 1, 2008, to restore or preserve rural cemeteries and
10 28 historical landmarks. The department in cooperation with the
10 29 counties may also use inmate labor to clean up roads, major
10 30 water sources, and other water sources around the state.
10 31 2. Each month the department shall provide a status report
10 32 regarding private-sector employment to the legislative
10 33 services agency beginning on July 1, 2008. The report shall
10 34 include the number of offenders employed in the private
10 35 sector, the combined number of hours worked by the offenders,
11 1 and the total amount of allowances, and the distribution of
11 2 allowances pursuant to section 904.702, including any moneys
11 3 deposited in the general fund of the state.
11 4 Sec. 8. ELECTRONIC MONITORING REPORT. The department of
11 5 corrections shall submit a report on electronic monitoring to
11 6 the general assembly, to the co-chairpersons and the ranking
11 7 members of the joint appropriations subcommittee on the
11 8 justice system, and to the legislative services agency by
11 9 January 15, 2009. The report shall specifically address the
11 10 number of persons being electronically monitored and break
11 11 down the number of persons being electronically monitored by
11 12 offense committed. The report shall also include a comparison
11 13 of any data from the prior fiscal year with the current year.
11 14 Sec. 9. STATE AGENCY PURCHASES FROM PRISON INDUSTRIES.
11 15 1. As used in this section, unless the context otherwise
11 16 requires, "state agency" means the government of the state of
11 17 Iowa, including but not limited to all executive branch
11 18 departments, agencies, boards, bureaus, and commissions, the
11 19 judicial branch, the general assembly and all legislative
11 20 agencies, institutions within the purview of the state board
11 21 of regents, and any corporation whose primary function is to
11 22 act as an instrumentality of the state.
11 23 2. State agencies are hereby encouraged to purchase
11 24 products from Iowa state industries, as defined in section
11 25 904.802, when purchases are required and the products are
11 26 available from Iowa state industries. State agencies shall
11 27 obtain bids from Iowa state industries for purchases of office
11 28 furniture during the fiscal year beginning July 1, 2008,
11 29 exceeding \$5,000 or in accordance with applicable

11 30 administrative rules related to purchases for the agency.
11 31 Sec. 10. STATE PUBLIC DEFENDER. There is appropriated
11 32 from the general fund of the state to the office of the state
11 33 public defender of the department of inspections and appeals
11 34 for the fiscal year beginning July 1, 2008, and ending June
11 35 30, 2009, the following amounts, or so much thereof as is
12 1 necessary, to be allocated as follows for the purposes
12 2 designated:
12 3 1. For salaries, support, maintenance, and miscellaneous
12 4 purposes:
12 5 \$ 21,749,296
12 6 As a condition of receiving moneys under this subsection,
12 7 the state public defender shall make recommendations about
12 8 containing the costs incurred by the office of the state
12 9 public defender and court-appointed attorneys for providing
12 10 legal representation of indigent persons. The state public
12 11 defender shall report the recommendations to the
12 12 co-chairpersons and ranking members of the joint
12 13 appropriations subcommittee on the justice system and to the
12 14 legislative services agency by December 15, 2008.
12 15 2. For the fees of court-appointed attorneys for indigent
12 16 adults and juveniles, in accordance with section 232.141 and
12 17 chapter 815:
12 18 \$ 31,282,538
12 19 Sec. 11. IOWA LAW ENFORCEMENT ACADEMY.
12 20 1. There is appropriated from the general fund of the
12 21 state to the Iowa law enforcement academy for the fiscal year
12 22 beginning July 1, 2008, and ending June 30, 2009, the
12 23 following amount, or so much thereof as is necessary, to be
12 24 used for the purposes designated:
12 25 For salaries, support, maintenance, and miscellaneous
12 26 purposes, including jailer training and technical assistance:
12 27 \$ 1,283,115
12 28 It is the intent of the general assembly that the Iowa law
12 29 enforcement academy may provide training of state and local
12 30 law enforcement personnel concerning the recognition of and
12 31 response to persons with Alzheimer's disease.
12 32 The Iowa law enforcement academy may temporarily exceed and
12 33 draw more than the amount appropriated and incur a negative
12 34 cash balance as long as there are receivables equal to or
12 35 greater than the negative balance and the amount appropriated
13 1 in this subsection is not exceeded at the close of the fiscal
13 2 year.
13 3 2. The Iowa law enforcement academy may select at least
13 4 five automobiles of the department of public safety, division
13 5 of state patrol, prior to turning over the automobiles to the
13 6 department of administrative services to be disposed of by
13 7 public auction, and the Iowa law enforcement academy may
13 8 exchange any automobile owned by the academy for each
13 9 automobile selected if the selected automobile is used in
13 10 training law enforcement officers at the academy. However,
13 11 any automobile exchanged by the academy shall be substituted
13 12 for the selected vehicle of the department of public safety
13 13 and sold by public auction with the receipts being deposited
13 14 in the depreciation fund to the credit of the department of
13 15 public safety, division of state patrol.
13 16 Sec. 12. BOARD OF PAROLE. There is appropriated from the
13 17 general fund of the state to the board of parole for the
13 18 fiscal year beginning July 1, 2008, and ending June 30, 2009,
13 19 the following amount, or so much thereof as is necessary, to
13 20 be used for the purposes designated:
13 21 For salaries, support, maintenance, and miscellaneous
13 22 purposes:
13 23 \$ 1,249,992
13 24 Sec. 13. DEPARTMENT OF PUBLIC DEFENSE. There is
13 25 appropriated from the general fund of the state to the
13 26 department of public defense for the fiscal year beginning
13 27 July 1, 2008, and ending June 30, 2009, the following amounts,
13 28 or so much thereof as is necessary, to be used for the
13 29 purposes designated:
13 30 1. MILITARY DIVISION
13 31 For salaries, support, maintenance, and miscellaneous
13 32 purposes:
13 33 \$ 6,404,798
13 34 The military division may temporarily exceed and draw more
13 35 than the amount appropriated and incur a negative cash balance
14 1 as long as there are receivables of federal funds equal to or
14 2 greater than the negative balance and the amount appropriated
14 3 in this subsection is not exceeded at the close of the fiscal
14 4 year.
14 5 2. HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION

14 6 For salaries, support, maintenance, and miscellaneous
 14 7 purposes:
 14 8 \$ 2,271,581
 14 9 It is the intent of the general assembly that the homeland
 14 10 security and emergency management division work in conjunction
 14 11 with the department of public safety, to the extent possible,
 14 12 when gathering and analyzing information related to potential
 14 13 domestic or foreign security threats, and when monitoring such
 14 14 threats.
 14 15 Sec. 14. DEPARTMENT OF PUBLIC SAFETY. There is
 14 16 appropriated from the general fund of the state to the
 14 17 department of public safety for the fiscal year beginning July
 14 18 1, 2008, and ending June 30, 2009, the following amounts, or
 14 19 so much thereof as is necessary, to be used for the purposes
 14 20 designated:
 14 21 1. For the department's administrative functions,
 14 22 including the criminal justice information system:
 14 23 \$ 4,455,581
 14 24 2. For the division of criminal investigation, including
 14 25 the state's contribution to the peace officers' retirement,
 14 26 accident, and disability system provided in chapter 97A in the
 14 27 amount of 17 percent of the salaries for which the funds are
 14 28 appropriated, and to meet federal fund matching requirements:
 14 29 \$ 21,245,742
 14 30 The department of public safety, with the approval of the
 14 31 department of management, may employ no more than two special
 14 32 agents and four gaming enforcement officers for each
 14 33 additional riverboat or gambling structure regulated after
 14 34 July 1, 2008, and one special agent for each racing facility
 14 35 which becomes operational during the fiscal year which begins
 15 1 July 1, 2008. One additional gaming enforcement officer, up
 15 2 to a total of four per riverboat or gambling structure, may be
 15 3 employed for each riverboat or gambling structure that has
 15 4 extended operations to 24 hours and has not previously
 15 5 operated with a 24-hour schedule. Positions authorized in
 15 6 this paragraph are in addition to the full-time equivalent
 15 7 positions otherwise authorized in this subsection.
 15 8 3. For the criminalistics laboratory fund created in
 15 9 section 691.9:
 15 10 \$ 342,000
 15 11 4. a. For the division of narcotics enforcement,
 15 12 including the state's contribution to the peace officers'
 15 13 retirement, accident, and disability system provided in
 15 14 chapter 97A in the amount of 17 percent of the salaries for
 15 15 which the funds are appropriated, and to meet federal fund
 15 16 matching requirements:
 15 17 \$ 6,335,522
 15 18 b. For the division of narcotics enforcement for
 15 19 undercover purchases:
 15 20 \$ 123,343
 15 21 5. For the division of state fire marshal, including the
 15 22 state's contribution to the peace officers' retirement,
 15 23 accident, and disability system provided in chapter 97A in the
 15 24 amount of 17 percent of the salaries for which the funds are
 15 25 appropriated and for fire protection services as provided
 15 26 through the state fire service and emergency response council
 15 27 as created in the department:
 15 28 \$ 4,182,548
 15 29 6. For the division of state patrol, for salaries,
 15 30 support, maintenance, workers' compensation costs, and
 15 31 miscellaneous purposes, including the state's contribution to
 15 32 the peace officers' retirement, accident, and disability
 15 33 system provided in chapter 97A in the amount of 17 percent of
 15 34 the salaries for which the funds are appropriated:
 15 35 \$ 50,233,525
 16 1 It is the intent of the general assembly that members of
 16 2 the state patrol be assigned to patrol the highways and roads
 16 3 in lieu of assignments for inspecting school buses for the
 16 4 school districts.
 16 5 7. For deposit in the sick leave benefits fund established
 16 6 under section 80.42 for all departmental employees eligible to
 16 7 receive benefits for accrued sick leave under the collective
 16 8 bargaining agreement:
 16 9 \$ 316,179
 16 10 8. For costs associated with the training and equipment
 16 11 needs of volunteer fire fighters:
 16 12 \$ 699,587
 16 13 Notwithstanding section 8.33, moneys appropriated in this
 16 14 subsection that remain unencumbered or unobligated at the
 16 15 close of the fiscal year shall not revert but shall remain
 16 16 available for expenditure only for the purpose designated in

16 17 this subsection until the close of the succeeding fiscal year.
 16 18 Notwithstanding section 8.39, within the funds appropriated
 16 19 in this section the department of public safety may reallocate
 16 20 funds as necessary to best fulfill the needs provided for in
 16 21 the appropriation. However, the department shall not
 16 22 reallocate an appropriation made to the department in this
 16 23 section unless notice of the reallocation is given to the
 16 24 legislative services agency and the department of management
 16 25 prior to the effective date of the reallocation. The notice
 16 26 shall include information about the rationale for reallocating
 16 27 the appropriation. The department shall not reallocate an
 16 28 appropriation made in this section for the purpose of
 16 29 eliminating any program.
 16 30 Sec. 15. CIVIL RIGHTS COMMISSION. There is appropriated
 16 31 from the general fund of the state to the Iowa state civil
 16 32 rights commission for the fiscal year beginning July 1, 2008,
 16 33 and ending June 30, 2009, the following amount, or so much
 16 34 thereof as is necessary, to be used for the purposes
 16 35 designated:
 17 1 For salaries, support, maintenance, and miscellaneous
 17 2 purposes:
 17 3 \$ 1,504,036
 17 4 The Iowa state civil rights commission may enter into a
 17 5 contract with a nonprofit organization to provide legal
 17 6 assistance to resolve civil rights complaints.
 17 7 Sec. 16. HOMELAND SECURITY AND EMERGENCY MANAGEMENT
 17 8 DIVISION. There is appropriated from the wireless E911
 17 9 emergency communications fund created in section 34A.7A to the
 17 10 administrator of the homeland security and emergency
 17 11 management division of the department of public defense for
 17 12 the fiscal year beginning July 1, 2008, and ending June 30,
 17 13 2009, an amount not exceeding \$200,000 to be used for
 17 14 implementation, support, and maintenance of the functions of
 17 15 the administrator and program manager under chapter 34A and to
 17 16 employ the auditor of the state to perform an annual audit of
 17 17 the wireless E911 emergency communications fund.
 17 18 Sec. 17. Section 80B.11B, subsection 2, Code 2007, is
 17 19 amended to read as follows:
 17 20 2. The Iowa law enforcement academy may also charge the
 17 21 department of natural resources or other agency or department
 17 22 of the state, a member of a police force of a city or county,
 17 23 or any political subdivision of the state ~~not~~ more than
 17 24 one-half of the cost of providing the basic training course
 17 25 which is designed to meet the minimum basic training
 17 26 requirements for a law enforcement officer, if a majority of
 17 27 the Iowa law enforcement academy council authorizes charging
 17 28 more than one-half the cost of providing basic training. If
 17 29 the charge is less than or equal to one-half of the cost of
 17 30 the training, the Iowa law enforcement academy does not need
 17 31 council approval to assess the charge. All other candidates
 17 32 to the law enforcement academy, including a candidate from a
 17 33 tribal government, shall pay the full costs of providing the
 17 34 basic training requirements for a law enforcement officer.
 17 35 Sec. 18. 2007 Iowa Acts, chapter 213, section 14,
 18 1 subsection 5, is amended to read as follows:
 18 2 5. a. For the division of state fire marshal, including
 18 3 the state's contribution to the peace officers' retirement,
 18 4 accident, and disability system provided in chapter 97A in the
 18 5 amount of 17 percent of the salaries for which the funds are
 18 6 appropriated, and for not more than the following full-time
 18 7 equivalent positions:
 18 8 \$ ~~3,157,454~~
 18 9 3,257,454
 18 10 FTEs 47.00
 18 11 b. For the division of state fire marshal, for fire
 18 12 protection services as provided through the state fire service
 18 13 and emergency response council as created in the department,
 18 14 and for not more than the following full-time equivalent
 18 15 positions:
 18 16 \$ ~~804,110~~
 18 17 704,110
 18 18 FTEs 10.00
 18 19 Sec. 19. EFFECTIVE DATE. The section of this Act amending
 18 20 2007 Iowa Acts, chapter 213, section 14, subsection 5, being
 18 21 deemed of immediate importance, takes effect upon enactment.
 18 22 EXPLANATION
 18 23 This bill makes appropriations from the general fund of the
 18 24 state for FY 2008=2009 to the departments of justice,
 18 25 corrections, public defense, and public safety, and the Iowa
 18 26 law enforcement academy, office of consumer advocate, office
 18 27 of the state public defender, board of parole, and Iowa state

18 28 civil rights commission.

18 29 The bill reduces the appropriation for FY 2007=2008 to the
18 30 division of state fire marshal for fire protection services by
18 31 \$100,000 and increases the appropriation to the division of
18 32 state fire marshal for the state's contribution to the
18 33 retirement system by \$100,000. This provision is effective
18 34 upon enactment.

18 35 The bill also appropriates moneys, not to exceed \$200,000,
19 1 from the wireless E911 emergency communications fund to the
19 2 homeland security and emergency management division for
19 3 implementation, support, and maintenance of the functions of
19 4 the administrator and program manager of the E911 emergency
19 5 system.

19 6 The bill makes permanent the provision that permits the
19 7 Iowa law enforcement academy to charge a department of the
19 8 state, a member of a police force, or any political
19 9 subdivision of the state more than one-half of the cost to
19 10 provide the basic training course for a law enforcement
19 11 officer, if a majority of the Iowa law enforcement council
19 12 approves such a charge. Current law prohibits the Iowa law
19 13 enforcement academy from charging more than one-half of the
19 14 cost of providing the basic training course.

19 15 The bill provides that the department of corrections may
19 16 reallocate appropriated funds between the institutions of the
19 17 department of corrections, the department's administration,
19 18 and the judicial district departments of correctional
19 19 services. The bill provides the department, prior to the
19 20 effective date of any reallocation, must provide notice to the
19 21 department of management, the legislative services agency, and
19 22 the district board of any judicial district department of
19 23 correctional services affected by the reallocation.

19 24 The bill provides that the department of public safety may
19 25 also reallocate the funds appropriated to the department
19 26 between the divisions of the department. The bill provides
19 27 that the department, prior to the effective date of any
19 28 reallocation, must provide notice of the reallocation to the
19 29 department of management and the legislative services agency.

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